

Stipulated Injunction Protecting the Threatened California Red-Legged Frog

**Date
established**

December 19, 2006

**Enclosure to
Pest
Management
and Licensing
Letter**

PML 06-08

Distribution

County Agricultural Commissioners

Approval

original signed by

David Duncan, Chief
Pest Management and Licensing Branch
(916) 445-3870

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Stipulated Injunction Protecting the Threatened California Red-Legged Frog, Continued

Background	The stipulated injunction settles a case brought against the U.S. Environmental Protection Agency (EPA) and others by the Center for Biological Diversity that the registration of the 66 active ingredients violated the Endangered Species Act. The violation occurred because U.S. EPA did not consult with the U.S. Fish and Wildlife Service to determine that California red-legged frog (CRLF) was not adversely affected. The stipulated injunction requires U.S. EPA to conduct this consultation as appropriate, with a timeline that concludes in 2009.
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Enforcement	This injunction is only specific to the Center for Biological Diversity and U.S. EPA. The Federal Insecticide, Fungicide, and Rodenticide Act is not a mechanism to enforce the injunction, and there is no mandate for State or local (county, city, etc.) government to enforce it through pesticide regulations or permit conditions. It can only be enforced by citizen lawsuits (i.e., citizen actions).
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Note: The Department of Pesticide Regulation (DPR) staff is discussing options for a solution with the U.S. Fish and Wildlife Service.

Assistance for California pesticide applicators from U.S. EPA	U.S. EPA will be mailing brochures about this Stipulated Injunction, information about CRLF and pesticides to every licensed pesticide applicator in California, and to the registrants of the 66 pesticides. In addition, they will provide 250 copies to each commissioner office in the affected counties.
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Assistance for California pesticide applicators from DPR	In order to help pesticide applicators better understand this injunction, DPR's Endangered Species Project has developed a PowerPoint presentation with all the information relevant to this case. The enclosed compact disk contains the presentation in PowerPoint 2000 format (CRLF_order.ppt) as well as in Adobe Acrobat (CRLF_order.pdf) format.
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Stipulated Injunction Protecting the Threatened California Red-Legged Frog, Continued

**Printing and
posting
materials**

These materials can also be used to print handouts for applicators attending seminars.

If requested by your office, we can print slides for those counties using conventional slide projectors. We will also be posting this presentation and other related materials as they become available on DPR's Web site at <<http://www.cdpr.ca.gov/docs/es/index.htm>>.

**Contact
information**

If you would like to set up a date for us to come to your county to give this presentation as part of your continuing education seminars, to train your staff on the use of these materials, or to request additional copies of the compact disk, please feel free to contact Mr. Leopoldo Moreno, of my staff, at (916) 324-3888, or e-mail him at <pmoreno@cdpr.ca.gov>.
